

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested in view of the above amendments and the following remarks.

Claims 1-8 are pending in this application. By this amendment, Claims 1, 7, and 8 have been amended. Support for these amendments is found in application FIG. 6 and the associated specification description. Accordingly, it is respectfully submitted that no new matter has been added.

In the outstanding Office Action, Claims 1-5, 7, and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Levine (U.S. Patent No. 5,692,214); and Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Levine in view of Saward (U.S. Patent No. 5,537,473).

Claims 7 and 8 recite:

said code information acquiring comprising:

determining whether code information corresponding to said identification information is recorded in a memory of an information processing apparatus; and

accessing, if said determining determines that said code information is not recorded in said memory, a server apparatus to download said code information[.]

Claim 1 recites similar subject matter. It is respectfully submitted that these features are neither disclosed by nor rendered obvious by Levine, Saward to the combination thereof.

The Office Action asserts that Levine discloses “said code information being automatically obtained from a server apparatus if unavailable in a local memory” by referring to column 4, lines 58-65. The Office Action further asserts “[r]eferring to figure 6 of the applicant’s specification, the automatic downloading of the code when it’s not located in local memory (step S5) only occurs after the user inputs the brand and code of their television or STB.” The Office Action further states “ as the codes taught by Levine are not previously

stored in the unit are needed to be downloaded for this reason.” Applicants respectfully disagree.

Levine states:

To perform the transmission function, the personal computer 18 requires information as to the nature of the remote control codes used by the video recorder 14 and the cable box 16 if that is additionally to be controlled. Preferably, this information is provided from the remote database 40 during an initialization routine in which the operator keys in the identification of the make and model of the VCR and cable box.<sup>1</sup>

Levine describes alternative initialization routines:

The personal computer application program receives signals from the IR sensor 32 and stores these codes for use in transmitting control signals to the video recorder 14 and the cable box 16. The application program may alternatively store a database of the control codes for popular video recorders or cable boxes and thus allow the unit to be identified by only pressing one or two selected keys, or it may require the operator to go through all of the keys in order to develop the appropriate remote control schedule.<sup>2</sup>

That is, in Levine, these different routines are voluntary alternatives.

There is no description in Levine of determining whether code information corresponding to said identification information is recorded in a memory of an information processing apparatus and accessing, if said determining determines that said code information is not recorded in said memory, a server apparatus to download said code information as recited in independent Claims 1, 7, and 8.

Saward fails to correct the deficiencies of Levine pointed out above. Saward describes a video recorder system which will enable the recording of scrambled signals, which would normally require an affirmation of payment by the viewer, to be recorded even when the viewer is absent.<sup>3</sup>

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<sup>1</sup> Column 4, lines 58-65.

<sup>2</sup> Column 5, lines 2-12.

<sup>3</sup> Column 2, lines 31-36.

It is respectfully submitted that dependent Claims 2-6 are patentable at least for the reasons argued above with regard to Claim 1 from which they depend.

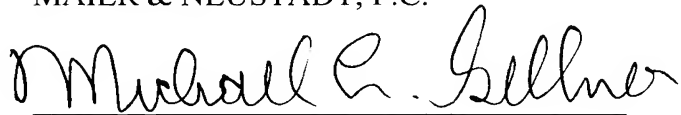
Accordingly, it is respectfully requested that the rejections of Claims 1-8 be reconsidered and withdrawn, and that Claims 1-8 be found allowable.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

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